

*The Law Office of
Michael L. Lambert*

369 Lexington Ave
2nd Floor, PMB#229
New York, NY, 10016
Ph: (917) 743-7071
MLambertEsq@Gmail.com

February 24th, 2019

The Honorable Brian M. Cogan
United States District Judge
For the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *United States v. Joaquín Archivaldo Guzmán Loera*
Case No. 09-CR-0466 (S-4)(BMC)

Dear Judge Cogan:

This letter is presented to compel a timely response from the US Attorney's Office on the following issue: Pursuant to a discussion with Mr. Guzman in mid January, 2019, my client indicated verbally that he wished to sign a specified civil contract. My office subsequently drafted this contract for him, but the document cannot currently be presented to him without further action.

The presentation of any document to the defendant, by counsel, is currently governed by SAMs. Section 2, sub h (p9 paragraph 4), states: "**Documents Provided by Attorney to Inmate** – During a visit, the inmate's attorney may provide the inmate with, or review with the inmate, *documents related to his defense...*". Counsel concedes that this civil document is not related to the defense of his criminal case, but is nevertheless necessary to conduct legitimate civil business, as is his right.

Section 2, sub h ii (p9 paragraph 6), provides a simple solution to issues such as this, without requiring the formal modification of the existing SAMs: "The USA/EDNY may authorize additional documents to be presented to the inmate. If any document not listed or described above needs to be transmitted to the inmate, consent for the transmission of the document may be obtained from the USA/EDNY without the need to formally seek approval for an amendment to the SAM."

On January 23rd, 2019, I initiated correspondence by email with the US Attorney's Office advising them of the existence of this civil document (also providing them with a copy), my desire to present the document to my client for signature, and the relevant SAMs provisions above. On January 26th, 2019, I received a response indicating that the Government was not opposed to this, however, they needed to additionally consult with other parties within the DOJ, as well as an outside agency to inspect the document. Since January 26th, multiple attempts to correspond with the US Attorney's Office by email, phone, and in person, have gone unanswered.

I am therefore asking the court to compel the US Attorney's Office to respond to this issue in a timely manner. The document itself is a short and uncomplicated. Given the Government's vast resources, any analysis of the document for security concerns should have been completed by now.

Respectfully Submitted,

/s/

Michael Leigh Lambert Esq.
Counsel for Joaquin Guzman Loera

cc: The parties via ECF